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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,450	01/29/2004	Thomas Enne Hjort	A2000-700319	3938

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EXAMINER	
RUTLAND WALLIS, MICHAEL	
ART UNIT	PAPER NUMBER
2836	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/767,450	HJORT, THOMAS ENNE	
	Examiner	Art Unit	
	Michael Rutland-Wallis	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-19 and 22-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) *12-19 and 31-41* is/are allowed.

6)☐ Claim(s) *2 and 22* is/are rejected.

7)☐ Claim(s) *4-11 and 23-30* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 October 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's response filed 10/16/2006 to the previously cited claim objections is fully responsive; therefore the previous objections are hereby withdrawn.

Applicant's arguments, with respect to 4-19 and 23-42 have been fully considered and are persuasive. Therefore previous rejection has been withdrawn.

Applicant's arguments, with respect to the rejections of claims 3 and 22 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new grounds of rejection is made below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 3 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamamoto (U.S. Pat. No. 7,061,141)

With respect to claim 3 Yamamoto teaches a system for providing power to a load (load not shown connected to parallel bus), the system comprising: a first input to

receive AC power from a first AC power source (through bypass feed); a second input to receive AC power from a second AC power source (Input power feeding 1 or 2 Fig. 8 or 9); a third input to receive DC power from a first DC power source (see battery 23 or 13); an output (best seen Fig. 8 connected to parallel) that provides output AC power to the load; converter circuitry (items 15), coupled to the first, second and third inputs and the output, and controllable (via controls connected to switching circuitry, 16-17 and 26-27 see Fig 8 or 9) to select from the first AC power source, the second AC power source and the first DC power source (see battery 23 or 13) to provide input power and derive the output AC power from the input power; a first bypass device (item 17) coupled to the first input and the output and controllable to operate in a bypass mode to couple the first input to the output to provide AC power from the first AC power source directly to the output, bypassing the converter circuitry; and a second bypass device (item 16) coupled to the second input (input power feeding 1 or 2) and the output and controllable to operate in a bypass mode to couple the second input to the output to provide AC power from the second AC power source directly to the output, bypassing the converter circuitry.

With respect to claim 22 Yamamoto teaches a system (Fig. 8 or 9) for providing power to a load (see output Fig. 8), the system comprising: a first input to receive AC power from a first AC power source (through bypass feeding 1 or 2); a second input to receive AC power from a second AC power source (Input power feeding Fig. 8 or 9); a third input to receive DC power from a first DC power source (see battery 23 or 13); an output (best seen Fig. 8) that provides output AC power to the load; converter means

(items 15) for selecting (via controls connected to switching circuitry, 16-17 and 26-27 see Fig 8 or 9) from the first AC power source, the second AC power source and the first DC power as a source for input power and deriving the output AC power from the input power; and bypass means (item 17) for selectively providing AC power from the first AC power source directly to the output, bypassing the converter means (by opening item 18); wherein the bypass means include means for selectively providing AC power from the second AC power source directly to the output, bypassing the converter means.

Allowable Subject Matter

Claims 12-19, and 31-42 are allowed. The following is an examiner's statement of reasons for allowance:

With respect to claim 12-19 Yamamoto teaches the device of claims 12 and 15 however does not teach in a first power source transition mode, the converter circuitry is adapted to detect an input AC voltage waveform period of the first AC power source and to control the controllable switches such that the converter circuitry draws current from the first AC power source during a positive portion of the waveform period and the converter circuitry draws current from the first DC power source during a negative portion of the waveform period for multiple waveform periods. At least this further limitation to claims 12 and 15 is not taught or rendered obvious by the prior art or record.

With respect to claim 31-42 Yamamoto teaches the device and method to provide power to a load, however do not teach during a first transition period, input current is drawn by the converter means alternately from the first AC power source and the first DC power source. At least this further limitation to claim 31 and 38 is not taught or rendered obvious by the prior art or record.

Claims 4-11, and 23-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: Yamamoto teaches the device of claim 3 however does not teach in a first power source transition mode, the converter circuitry is adapted to detect an input AC voltage waveform period of the first AC power source and to control the controllable switches such that the converter circuitry draws current from the first AC power source during a first portion of the waveform period and the converter circuitry draws current from the first DC power source during a second portion of the waveform period for multiple waveform periods. At least this further limitation to claim 4 and 23 is not taught or rendered obvious by the prior art or record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jungeris et al. (U.S. Pat. No. 6,134,124) teaches a device similar to claim 22 of Applicants claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRW

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